

**SUMTER COUNTY BOARD OF COMMISSIONERS  
EXECUTIVE SUMMARY**

**SUBJECT:** \*R2011-0031 - Rezoning on 0.50 acres MOL from RR1 to CH (Heavy Commercial) - Donald Jones, et al. - CR 108 (Perry Street)/Oxford (ZAB recommends approval)

**REQUESTED ACTION:** Approve Rezoning R2011-0031

Work Session (Report Only)    **DATE OF MEETING:** 11/22/2011  
 Regular Meeting                       Special Meeting

**CONTRACT:**  N/A    Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_    Termination Date: \_\_\_\_\_  
Managing Division / Dept: Planning

**BUDGET IMPACT:** \_\_\_\_\_  
 Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

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**HISTORY/FACTS/ISSUES:**

The applicant is requesting a rezoning on 0.50 acres MOL of a 5 acre parcel from RR1 to CH (Heavy Commercial). The parcel is designated as commercial on the Future Land Use Map, and the parcels in the local vicinity of the property are a mixture of light and heavy commercial with a few residential zonings. This area is also within the Joint Planning Area (JPA) with the City of Wildwood and they have no objections to the rezoning.

The Zoning & Adjustment Board held a public hearing on November 7, 2011, and recommended approval (5-0).

ZAB cases:

- 1) Christy & Bobby Causey - R2011-0030
  - 2) Donald Jones, et al - R2011-0031\*\*\*\*\*
  - 3) Keith & Tracy Jones - R2011-0034
  - 4) Lake Warehouse & Storage - SS2011-0010
  - 5) Lake Warehouse & Storage - R2011-00032
  - 6) Cedar Crossing - SS2011-0011
  - 7) Cedar Crossing - R2011-0033
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**SUMTER COUNTY ZONING AND ADJUSTMENT BOARD**  
**November 7, 2011**

**BOARD OF SUMTER COUNTY COMMISSIONERS**  
**November 22, 2011**

**CASE NO.** R2011-0031

**APPLICANT:** Donald Jones, et al.

**REPRESENTATIVE:** N/A

**REQUESTED ACTION:** Rezone .50 acres MOL from RR1 to CH (Heavy Commercial).

**LEGAL DESCRIPTION:** Sec. 17, Twp. 18S, Rng. 23E. Beg 415' E & 50' N of ¼ cor on W line sec run N 261' E 300' N 185.2' E 355.57' to RR R/W S 12°1'30" E along R/W 449.04' W 749 09' to POB less beg 415' E 50.81' N of ¼ cor run E 752.57' to POB run N 12°01'30" W 211' W 211' S12°01'30"E 211' E 211' to POB. **TO BE TO BE REZONED:** Part of lot 3, Perry Plat, Oxford, PB 1, PG 32. Comm at SW cor of NW ¼ run N 50' E 415' N 261' E 300' N 85.20' to POB. Run N 100' E 220' S 100' W 220' to POB.

**EXISTING ZONING:** RR1

**FUTURE LAND USE:** Commercial

**EXISTING USE:** Mobile Homes

**PARCEL SIZE:** 5 acres MOL

**GENERAL LOCATION:** Oxford

**SURROUNDING LAND USE:** **SURROUNDING ZONING:**  
**NORTH:** Commercial **NORTH:** C2/A5/CH = Vacant/Office

**SOUTH:** Commercial **SOUTH:** A5/RR = Residence

**EAST:** Low Density Residential/Ag **EAST:** A5/RR1 = Residence/Mobile Home

**WEST:** Municipality **WEST:** Municipality

**CASE SUMMARY:**

The subject property is located on the SW corner of NE 42<sup>nd</sup> Boulevard & CR 108. The subject site is 5 acres MOL with a Commercial Future Land Use and RR1 zoning. The applicants are requesting to rezone .50 acres MOL from RR1 to CH (Heavy Commercial).

The property being rezoned has a width of approximately 220 feet and depth of approximately 100 feet

**CASE ANALYSIS:**

The general character of the area is commercial and residential. The subject property is located within a quarter mile of a major state arterial road (US 301). The property is accessed from CR 108/Perry Street. Properties located to the north and south of the subject property are zoned CH, C2, RR1, and A5, and are designated as commercial on the Future Land Use Map. Property located to the east is zoned A5 and designated as Agricultural and Low Density Residential on the Future Land Use Map. Property located to the west is in the City of Wildwood.

**DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:**

Staff deemed the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

**Notices Sent: 12 (In objection) 0 (In favor) 1**

**Zoning & Adjustment Board: Approved (5-0)**



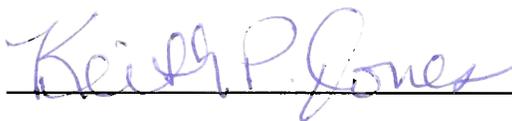
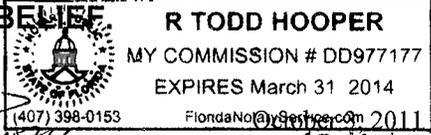
# SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

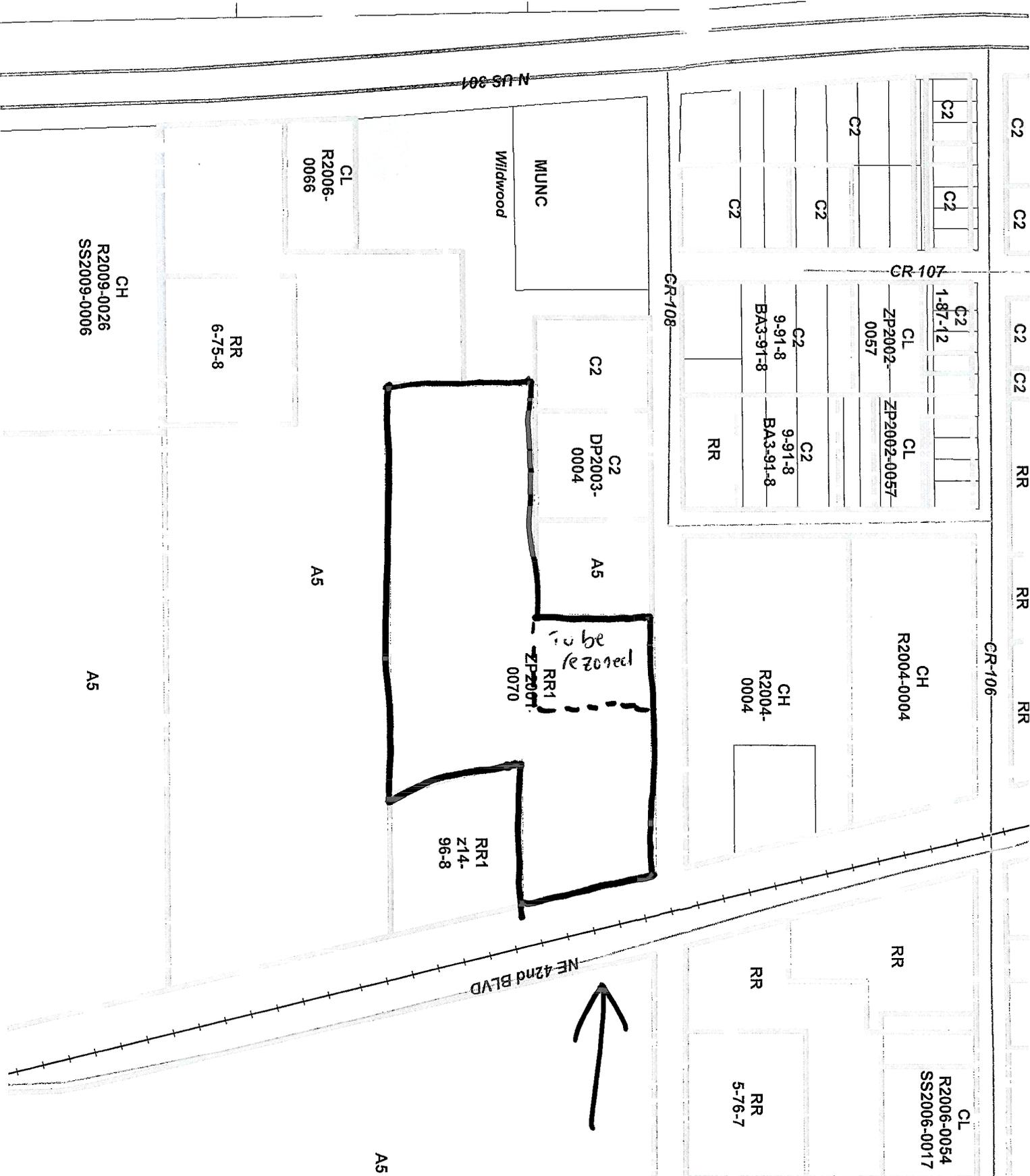
Project No: **R2011-0031**

Application: 10/3/2011 MOO

910 N. Main Street, Suite 301 Bushnell, FL 33513  
Tel. (352) 793-0270 Fax (352) 793-0274

## REZONING

PROJECT TYPE REZONING		PROJECT SUBTYPE COMMERCIAL		PROJECT DESCRIPTION Rezone 0.50 acres MOL	
OWNER JONES, DONALD VANCE,, KEITH PHI			ADDRESS 3138 COUNTY ROAD 216 OXFORD, FL 34484		PHONE
PARCEL # D17=050	SEC/TWP/RNG 171823	GENERAL Oxford	DIRECTIONS TO PROPERTY Property is located on the SW cor. of NE42nd Blvd and CR 106 on the W. side of the road. <i>South side of CR 108/Perry St. Approx 1/4 mile E of US 301</i>		
Property Address 4155 CR 108, Oxford, FL 34484					
PARCEL SIZE 5 acres MOL	F.L.U. COMM	LEGAL DESCRIPTION BEG 415 FT E & 50 FT N OF 1/4 COR ON W LINE SEC RUN N 261 FT E 165 FT E 135 FT N 185.2 FT S 89 DEG 23 MIN 51 SEC E 355.7 FT TO RR R/W S 12 DEG 1 MIN 30 SEC E ALONG R/W 449.04 FT S 89 DEG 51 MIN 30 SEC W 749.09 FT TO POB LESS BEG 415 FT E <i>50.81' N of 1/4 cor run E 752.57' to POB run N 12° 01' 30" W 211' S 1200' 30" E 211' to POB</i>			
PRESENT ZONING RR1	PRESENT USE MHS				
REQUESTED REZONING Rezone 0.50 acres MOL From RR1 to CH	REZONED ACREAGE 0.50	REZONED LEGAL DESCRIPTION That Part of Lot 3, Perry Plat, Oxford, as recorded in Plat Book 1, Page 32, Public Records of Sumter County, Florida, being described as follows. Comm at SW cor of NW 1/4 of Sec 17, Twp. 18S, Rng 23E, Sumter County, Florida, run N 50' E 415' N 261' <del>E 300'</del> <i>E 300'</i> 165' N 85' 20' to POB N 100' to the S R/W of Perry Street according to the aforesaid plat E 220' S 100' W 220' to POB.			
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH C2/Non-ComA5/CH-Off/wa commercial	EAST A5/RR1-Res & MH LDR & AG	SOUTH A5/RR-Res. Comm	WEST City of WW munic	
As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.					
<b>UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</b>					
 Signature(s)			 Signature(s)		
			 R TODD HOOPER MY COMMISSION # DD977177 EXPIRES March 31 2014 (407) 398-0153 FloridaNotary.com 2011 Date: 10/24/11		
A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.					
Zoning and Adjustment Board		11/7/2011 6:30 PM	Room: Colony Cottage Rec. Center	Action: _____	
County Commission Meeting		11/22/2011 5:30 PM	Room: Colony Cottage Rec. Center	Action: _____	
NOTICES SENT	12	RECEIVED IN FAVOR	1	RECEIVED OBJECTING	0
Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.					



R2011-0031  
 Jones, Donald, et al  
 Sec. 17, Twp. 18S. Rng. 23E

# SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)



PERRY STREET

S89°23'51"E 220.00'

NORTH 100.00'

SOUTH 100.00'

N89°23'51"W 220.00'

POINT OF BEGINNING

NORTH 85.20'

EAST 165.00' S89°23'51"E 135.00'

NORTH 261.00'

EAST 415.00'

50.00' NORTH

POINT OF COMMENCEMENT

SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SECTION 17-18-23

THAT PART OF LOT 3, PERRY PLAT, OXFORD, AS RECORDED IN PLAT BOOK 1, PAGE 32, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS.

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA, THENCE RUN NORTH 50 FEET, THENCE EAST 415 FEET; THENCE NORTH 261 FEET; THENCE EAST 165 FEET, THENCE S89°23'51"E, 135.00 FEET, THENCE NORTH 85 20 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE NORTH 100 FEET TO THE SOUTH RIGHT OF WAY LINE OF PERRY STREET ACCORDING TO THE AFORESAID PLAT; THENCE S89°23'51"E, ALONG SAID RIGHT OF WAY, 220 00 FEET; THENCE DEPARTING SAID RIGHT OF WAY RUN SOUTH 100 FEET, THENCE N89°23'51"W, 220 00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.51 ACRES, MORE OR LESS.

9/30/11  
DATE

*William S. Barley*  
WILLIAM S. BARLEY, PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA REGISTRATION NO. 3815

**GENERAL NOTES**

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SKETCH PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.

**FARNER  
BARLEY  
AND ASSOCIATES, INC.**

▲ ENGINEERS  
▲ SURVEYORS  
▲ PLANNERS  
LB 4709

4450 NE 83RD ROAD - WILLOWOOD, FL 34785 · (352) 718-3128

# SKETCH FOR DESCRIPTION (NOT A FIELD SURVEY)



PERRY STREET

S89°23'51"E 220.00'

NORTH 100.00'

SOUTH 100.00'

N89°23'51"W 220.00'

POINT OF BEGINNING

NORTH 85.20'

EAST 165.00' S89°23'51"E 135.00'

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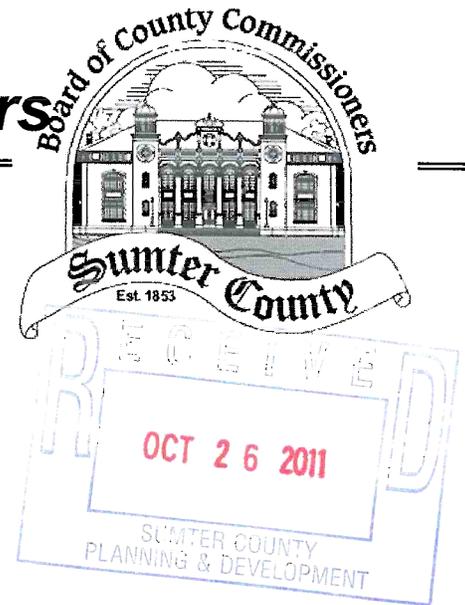
4450 NE 83RD ROAD - WILDWOOD, FL 34785 - (352) 718-3128

# Board of County Commissioners

## Division of Planning & Development

### Planning Services

7375 Powell Rd., Ste. 115 • Wildwood, FL 34785 • Phone (352) 689-4460 • FAX: (352) 689-4461  
Website: <http://sumtercountyfl.gov/planning>



## NOTICE OF PUBLIC HEARING

October 21, 2011

BATTERY BOYS LLC  
737 WILLINGTON WAY  
THE VILLAGES, FL 32162

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name of **Donald Jones, et al.** This property is being considered for **rezoning** at a public hearing.

CASE# **R2011-0031** to rezone from **RR1** to **CH (Heavy Commercial District)** which provides for harmonious retail and wholesale sales and services necessary to meet the general needs of the community, in which the principal activities are conducted both inside and outside of an enclosed structure.

A public hearing before the Zoning and Adjustment Board will be held at **Colony Cottage Recreation Center, 510 Colony Blvd, The Villages, Florida 32162** on **Monday, November 7, 2011, at 6:30 p.m.**

The property is located as follows. **Oxford area.** The property is located on the southwest corner of NE 42<sup>nd</sup> Blvd. & CR 106.

The recommendations of the Zoning and Adjustment Board will be presented to the Sumter Board of County Commissioners at a public hearing to be held at Colony Cottage Recreation Center, Parlor Room, 510 Colony Blvd, The Villages, Florida 32162 on **Tuesday, November 22, 2011, at 5:30 PM.**

Written comments submitted will be heard. Hearings may be continued from time to time as found necessary. Please return this form to: SUMTER COUNTY PLANNING DEPARTMENT, 7375 Powell Road, Ste. 115, Wildwood, FL 34785 Questions should be directed to the Planning Department at (352)689-4460.

I approve of the above.

I do not approve of the above for the following reason(s): \_\_\_\_\_

Please return no later than **November 1, 2011**

RE. CASE# **R2011-0031**

RESOLUTION NUMBER \_\_\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS OF SUMTER COUNTY, FLORIDA,  
REZONING PROPERTY LOCATED WITHIN THE  
UNINCORPORATED LANDS OF THE COUNTY

WHEREAS, the Board of County Commissioners of Sumter County received a complete and properly funded application for rezoning of property located within the unincorporated lands of Sumter County, and,

WHEREAS, after diligent review and consideration the above referenced rezoning was approved.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sumter County, Florida, as follows.

1 Based on competent substantial evidence presented and considered during a properly noticed quasi judicial hearing, the Board of County Commissioners of Sumter County hereby approves rezoning application R2011-0031. The lands described in application R2011-0031 are hereby rezoned to CH, as that zoning category is described in the Sumter County Land Development Code.

DONE AND RESOLVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2011,  
at \_\_\_\_\_, Sumter County, Florida.

ATTEST: GLORIA HAYWARD  
Clerk of Circuit Court

BOARD OF COUNTY COMMISSIONERS  
OF SUMTER COUNTY, FLORIDA

\_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Don Burgess, Chairman